

LIQUOR ADVISORY BOARD
Wednesday, January 20, 2010
6:00 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Present:

LAB Members:	Aaron Magdziarz Dan Roszkowski Julio Salgado Scott Sanders Craig Sockwell
Absent:	Alicia DiBenedetto Neubauer
Staff:	Jennifer Cacciapaglia, Attorney for Liquor Commission Todd Cagnoni, Deputy Director, Construction Services Division Sandra Hawthorne, Administrative Assistant Jon Hollander, Public Works Mark Marinaro - Fire Prevention Division
Others:	Kathy Berg, Stenographer Applicants and Interested Parties

Sandra Hawthorne explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative are to come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name and address to the Liquor Advisory Board secretary and the stenographer
- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

It was further explained to the public in attendance, applicants, objectors and interested parties that this meeting is not a final vote on any item. The date of the Codes & Regulations meeting was given as Monday, February 1, 2010 at 4:30 PM in Conference Room A of this building as the second vote on these items. The public in attendance, applicants, objectors and interested parties were instructed that they could contact Sandra Hawthorne in the Zoning Office for any further information and that her phone number listed on the top of the agenda which was made available to all those in attendance. The City's web site for minutes of this meeting were listed on the agenda as well.

The meeting started at 6:05 P.M. A **MOTION** was made by Aaron Magdziarz to **APPROVE** the minutes of the December 15th meeting as submitted. The **MOTION** was **SECONDED** by Scott Sanders and **CARRIED** by a vote of 4-0 with Dan Roszkowski and Julio Salgado abstaining as they were not in attendance at the December meeting and Alicia Neubauer absent.

09-LAB-019

Applicant

Ward 6

2837 11th Street

Atty. Thomas Meyer for

Harmil Patel d/b/a Citgo Mini Mart

Sale of alcohol by the package in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District

The subject property is located on the northwest corner of Reed Avenue and 11th Street intersection. Attorney Thomas Meyer, representing the Applicant, and Harmil Patel, Applicant, were present. Attorney Meyer reviewed the request. The Applicant has a contract to purchase this property, which is the former Penny Pinchers, and wishes to convert it to a gas station and convenience store.

Staff Recommendation is for Approval with 6 conditions. No Objectors or Interested Parties were present.

Scott Sanders asked if they were doing anything with the existing bays. Mr. Cagnoni explained there will be a number of building permits required to establish the use of a convenience store and gas station and Staff is confident they will be able to work through this process. The review of the re-establishment of the Special Use Permit does not come back to the Zoning Board of Appeals. In the process of the review, if there is still a positive Findings of Fact, Staff will look at what the original landscaping plan was to re-establish that. The item before the Board this evening is for the sale of alcohol by the package only.

Mr. Cagnoni asked hours of operation. Mr. Patel stated the gas station and convenience store will be open 24 hours and they wish to sell alcohol within the time frame the liquor code allows. Mr. Salgado asked about parking – Mr. Patel stated there will be more parking than is currently existing.

A **MOTION** was made by Scott Sanders to **APPROVE** the sale of alcohol by the package in conjunction with a gas station and convenience store in the name of Harmil Patel d/b/a Citgo Mini Mart in a C-3, General Commercial Zoning District at 2837 11th Street. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes
2. Compliance with all City of Rockford Liquor Codes.
3. Submittal of Building Permit for Staff review and approval.
4. Submittal of detailed site and landscaping plans for Staff's review and approval.
5. That the freestanding sign shall be a landmark style sign in accordance with the Sign Ordinance replacing the existing freestanding sign.
6. The sale of alcohol shall be limited to the interior of the convenience store that was submitted.

09-LAB-020

Applicant

Ward 4

3053 North Perryville Road

Ya Min Sun d/b/a Oriental Dragon, Inc.

Sale of liquor by the drink in conjunction with a restaurant in a C-2, Limited Commercial Zoning District

The subject property is bounded by North Perryville Road to the west, Spring Creek Road to the south, and McFarland Road to the east. The property consists of two buildings with various uses within the tenant spaces. Mark Wong, representing the Applicant reviewed the request. The Applicant, Ya Min

Sun, was also present. The restaurant is currently under construction with an estimated open date of February 14, 2010. Business hours will be Sunday from 11:00 AM to 9:00 PM; Monday through Friday from 11:00 AM to 10:00 PM; and Saturday from 11:00 AM to 11:00 PM. Mr. Wong indicated they will sell beer and wine only.

Mr. Cagnoni had no questions for the Applicant.

Staff Recommendation was for Approval with 3 conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Aaron Magdziarz to **APPROVE** the sale of liquor by the drink in conjunction with a restaurant in the name of Ya Min Sun d/b/a Oriental Dragon, Inc. in a C-2, Limited Commercial Zoning District at 3053 North Perryville Road. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Compliance with the Liquor Ordinance.
2. The liquor license is limited to beer and wine and no package sales.
3. Hours of operation are limited as provided on the submitted letter labeled Exhibit F.

09-LAB-015

Applicant
Ward 11

1019 Broadway

Frank Amato d/b/a Body Shop On Broadway
Sale of liquor by the drink in conjunction with a night club, live music venue and karaoke bar in a C-4, Urban Mixed-Use District
Laid Over from November and December meetings

This Applicant also has a request for Special Use Permit for a night club before the Zoning Board of Appeals. This item was Laid Over at the November meeting and the Board and Staff requested the Applicant provide further information to Staff prior to the December 15th meeting. No information had been received by the Applicant prior to that meeting. Neither Applicant nor Representative were present at the December meeting. This item was Laid Over to January with a second written request sent to the Applicant that further information is required in order for this application to proceed.

Neither Applicant nor Representative were present.

Mr. Cagnoni stated nothing has been received from the Applicant. A letter was sent to the Applicant on January 13th asking them to advise Staff on how they wished to proceed. No response has been received as of this date. Mr. Cagnoni suggested one more Lay Over be allowed. Mr. Sanders stated if no information is received at the next meeting it will not be Laid Over again. Mr. Roszkowski concurred.

A **MOTION** was made by Scott Sanders to **LAY OVER** the sale of liquor by the drink in conjunction with a night club, live music venue and karaoke bar in the name of Frank Amato d/b/a Body Shop On Broadway in a C-4, Urban Mixed-Use District. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 5-0.

With no further business to come before the Board, the meeting was adjourned at 6:20 PM.

Respectfully submitted,
Sandra A. Hawthorne, Administrative Assistant
Liquor Advisory Board